

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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DINO N. THEODORE,
Plaintiff

v.

CIVIL ACTION NO.: 05-10314RGS

DEMOULAS SUPER MARKETS, INC.
Defendant

PLAINTIFF'S RULE 16.1 (D)(3) CERTIFICATE

The Plaintiff, Dino N. Theodore, and his counsel hereby certify that they have conferred with a view incident to a budget for the costs of conducting the full course and various alternative courses of this litigation and considered the resolution of this litigation through alternative dispute resolution.

Respectfully Submitted,
The Plaintiff, Dino N. Theodore,

By his Attorney,

/s/Nicholas S. Guerrero
Nicholas S. Guerrero, BBO#551475
Shaheen Guerrero & O'Leary, LLC
Jefferson Office Park
820A Turnpike Street
North Andover, MA 01845
(978) 689-0800

/s/Dino N. Theodore
Dino N. Theodore

CERTIFICATE OF SERVICE

I hereby certify that I served a true copy of this pleading on the defendant, through its counsel, in hand on this date pursuant to Fed. R. Civ. P. 5.

Dated: 9/27/05

/s/Nicholas S. Guerrero

Nicholas S. Guerrero